

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.4827 OF 1997

Raigad Zilla Parishad & Ors. ... Petitioners
V/s.

Sarita Waman Mhatre & Ors. ... Respondents

Mr.C.G. Gavnekar for Petitioners
Mr.V.K. Pradhan for Respondent Nos.1 to 3
Mr.A.P. Vanarse, AGP, for the State

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **JULY 9, 2007**

P.C.:

. The petition challenges an interim order dated 17.6.1997. By this interim order, the petitioners were directed to maintain status quo in respect of the employment of the complainants i.e., respondent Nos.1, 2 and 3 in the present petition.

2. The petitioners had filed a complaint of unfair labour practice under Items 5, 6, 9 and 10 of Schedule IV of the MRTU & PULP Act. Respondent Nos.1, 2 and 3 contended that they were in service of the Petitioners from 1988 and, therefore, have completed 240 days in service. The petitioners contested the complaint by contending that the respondents were not entitled to the reliefs claimed in the complaint. An application for interim relief was filed by Respondent Nos.1, 2 and 3. This application was granted and the parties were directed to maintain status quo in respect of employment of Respondent Nos.1, 2 and 3. The Industrial Court

directed the petitioners not to implement the alleged threat of termination of services of Respondent Nos.1, 2 and 3.

3. This petition was admitted on 30.4.1998. Although the impugned order was stayed, the complaint before the Industrial Court was permitted to be proceeded with by this Court. A further direction was given by this Court that the services of Respondent Nos.1, 2 and 3 should not be terminated unless duly selected candidates from the Maharashtra Secondary Services Regional Selection Board are available.

4. Mr.Gavnekar, for the petitioners, states that the complaint has not been disposed of by the Industrial Court as yet and, therefore, it would be necessary to pass appropriate orders in this petition. He further states that Respondent Nos.1, 2 and 3 have already been made permanent from September 2006 as Auxillary midwives in the Raigad district. Mr.Pradhan for Respondent Nos.1, 2 and 3 is unable to confirm this statement. Be that as it may, the complaint shall be disposed of by the Industrial Court as expeditiously as possible, if not disposed of already. The interim orders passed by this Court while admitting the petition to continue pending the complaint.

5. Petition is disposed of accordingly.